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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 MARGARET K. WILSON,)
09 Plaintiff,) CASE NO. C11-2009-JLR-MAT
10 v.)
11 MICHAEL ASTRUE,) AMENDED REPORT AND
Commissioner of Social Security,) RECOMMENDATION
12 Defendant.)
13 _____)

14 Plaintiff brought this action to seek judicial review of the denial of her applications for a
15 period of Disability, Disability Insurance Benefits (DIB), and Supplemental Security Income
16 (SSI) by the Commissioner of the Social Security Administration. The parties have now
17 stipulated that this case should be reversed and remanded pursuant to sentence four of 42
18 U.S.C. § 405(g). (Dkt. 18.)

19 Based on the stipulation of the parties, the Court recommends that this case be
20 REVERSED and REMANDED for further administrative proceedings. The parties have
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01 stipulated that, on remand, the Appeals Council¹ will: (1) issue an order vacating the October 4,
02 2011 Notice of Decision – Unfavorable and reinstating and affirming the prior finding of
03 disability beginning August 29, 2008; and (2) remand and assign the case to a new
04 Administrative Law Judge (ALJ) for a de novo hearing limited to the issue of whether
05 plaintiff's disability began prior to August 29, 2008. In considering the limited issue, the new
06 ALJ will: (1) re-evaluate the medical source opinions of record; (2) re-evaluate plaintiff's
07 residual functional capacity; (3) obtain supplemental vocational expert testimony to reassess
08 the requirements of plaintiff's past relevant work and/or accurately identify any comparable
09 counterpart in the Dictionary of Occupational Titles; and (4) take no action to disturb the
10 finding that plaintiff has been disabled since August 29, 2008. Additionally, upon proper
11 application, the Court will consider plaintiff's application for attorney fees and expenses
12 pursuant to 28 U.S.C. § 2412, and costs pursuant to 28 U.S.C. § 1920.

13 Given the above, the Court recommends that United States District Judge James L.
14 Robart immediately approve this Report and Recommendation and order the case REVERSED
15 and REMANDED for further administrative proceedings. A proposed order accompanies this
16 Report and Recommendation.

17 DATED this 22nd day of May, 2012.

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19 Mary Alice Theiler
20 United States Magistrate Judge

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1 The prior Report and Recommendation mistakenly directed this task to the Administrative
Law Judge.